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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/591,009
Filing Date	06/09/2000
First Named Inventor	ASHOK K. SHUKLA
Art Unit	1723
Examiner Name	THER KORN, ERNESTG
Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Letter from Dr. Robert Stevenson

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to

- a. ☐ Deposit Account No. \_\_\_\_\_ I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e) 85/11/2006 TL0111 88888887 89591889

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 395.00 OP

iii. ☐ Other \_\_\_\_\_

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<u>ASHOK K. SHUKLA</u>	Date	5/10/06
Name (Print/Type)	ASHOK K. SHUKLA	Registration No.	

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<u>ASHOK K. SHUKLA</u>	Date	5/10/06
Name (Print/Type)	ASHOK K. SHUKLA		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FAX Submission of RCE

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TO THE UNITED STATES PATENT AND TRADEMARK OFFICE MAY 10 2006

Re: Patent Application of Ashok Shukla, Mukta Shukla and  
Amita Shukla

Serial No. 09/591.009  
Filing Date: 06/09/00

Art Unit: 1723  
Examiner: Therkorn, E.

Title: INCISION-BASED FILTRATION/SEPARATION PIPETTE TIP

Honorable Commissioner of Patents and Trademarks  
PO Box 1450  
Alexandria, VA 22313-1450

Date: May 10, 2006

Ref: Request for Continued Examination (REC)

Herewith, I request for the continued examination (REC) of the above application. Herewith, the amendment of claim 1. is submitted and other claims that are dependent on claim 1 are not amended. Alongwith this request the RCE fee is attached (Credit card). Furthermore, a letter from Dr. Robert Stevenson is attached to show the novelty of this invention. This device has been commercialized and is being used by a number of scientists and researchers all across USA as well as world-wide as no other such device is available in the market. Letters from our customers can be obtained if needed by the patent office to prove the novelty of this invention.

The REC was recommended by the administrative Patent Judges, during the interview of the brief.

Thanking you in advance

Sincerely,



Ashok R. Shukla  
10316 Kingsway Court  
Ellicott City, MD 21042  
Tel. 410 997 0301  
Fax 410 997 0772

# ISC

**International  
Scientific  
Communications, Inc.**

**ROBERT STEVENSON, Ph. D.**  
**EDITOR OF SEPARATION SCIENCE**

3331 CARLYLE TERRACE  
LAJAYETTE, CA 94549  
PHONE (925) 283-7619  
FAX: (925) 283-5621  
EMAIL: rlsteven@comcast.net

November 14, 2005

Ashok Shukla, Ph. D.  
President and Founder  
Glygen Corp.  
8990 Route 108, Suite C-1  
Columbia, MD 21045, USA

Dear Dr. Shukla

I'm responding to your request for an analysis of the novelty and utility of the TopTip from Glygen.

**Utility:** The TopTip is a filterless chromatographic Tip for sample preparation. The design of TopTip includes a very narrow slit across the bottom of the tube or pipette tip. The slit retains the chromatographic particles larger than the slit size. However, the slit permits the passage of liquids and solvents. This feature facilitates solid phase extraction (SPE) with almost any adsorbent.

As practiced with prior technology, SPE is performed with sample size in the range of 50 ul or larger due to the volume of the filter. With TopTip, the sample volume can be reduced to 100 nl or perhaps less because no filter is required. This reduced size is much more compatible with the low micro liter to nanoliter volumes that analysts intend to use today and going forward. Thus TopTip should be seen as a new key enabling technology.

Another advantage is that the TopTip is very easy to use. There is no need to monitor the wetting of the bed as with other SPE devices. Simply put the sample in the TopTip tube, agitate to mix, spin a few seconds (or push with a micropipettor), add the elution liquid, agitate, add a collection tube, spin again for a few seconds, and one has the clean extraction the bottom tube. The entire process can be done with unskilled labor in less than two minutes total elapsed time.

**Novelty:** I've been involved in chromatography since 1958. I've never seen anything similar to the design of the TopTip. The fact that it can separate the liquid from the solid in SPE without a filter reduces the size, cost and avoids any concern of nonspecific binding on the filter.

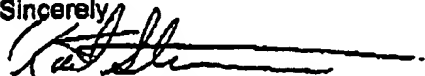
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05/10/2006 05:24 4109970772 GLYGEN CORP. P.1  
NOV-14-2005 12:30P FROM:BOB STEVENSON 925-283-5621  
TO:14109970772

In summary, based upon my 47 years of experience in designing and reporting on products for chromatography, the TopTip is indeed both novel and useful. I'm confident that its use will grow as more people become aware of it.

If there are any questions, please call me.

Sincerely,



Robert Stevenson, Ph. D.  
Editor of Separation Science

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Laboratory, American Biotechnology Laboratory